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LIMBACH & LIMBACH L.L.P.  
2001 Ferry Building, San Francisco, CA 94111  
(415) 433-4150

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

jc519 U.S. PTO  
Barcode  
09/03/97

Docket No. SONY-C5757  
Anticipated Classification of  
this Application:  
Class: 360  
Subclass: \_\_\_\_\_  
Prior Application:  
Examiner: V. BOCCIO  
Art Unit: 2604

CONTINUATION OR DIVISIONAL APPLICATION UNDER 37 CFR 1.60

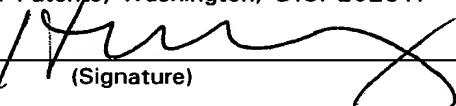
Box Patent Application  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this New Application and the documents referred to as enclosed herein are being deposited with the United States Postal Service on this date September 3, 1997, in an envelope bearing "Express Mail Post Office To Addressee" Mailing Label Number TB82353248XUS addressed to: Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231.

HOWARD WONG  
(Name of person mailing paper)

  
(Signature)

This is a request for filing a [X] continuation [] divisional application under 37 CFR 1.60, of pending prior application no. 08/563,188 filed on November 27, 1995 of SHIGEAKI KOIKE ET AL. for DATA RECORDING AND REPRODUCING APPARATUS.

1.  Enclosed is a **COMPLETE COPY** of the prior application, including the oath or declaration as originally filed. A declaration verifying it as a true copy appears in ¶23 below. (See ¶13 for drawing requirements.)
2. Name of applicant(s) (as originally filed and as last amended) and current correspondence address of applicant(s):

SHIGEAKI KOIKE, c/o Sony Corporation, 7-35, Kitashinagawa 6-chome, Shinagawa-ku, Tokyo, Japan  
YASUO IWASAKI, c/o Sony Corporation, 7-35, Kitashinagawa 6-chome, Shinagawa-ku, Tokyo, Japan
3.  This application discloses and claims only subject matter disclosed in the prior application whose particulars are set out above and the inventor(s) in this application are the same less than those named in the prior application and it is requested that the following inventor(s) identified above for the prior application be deleted:
4.  The inventorship for all the claims in this application are the same

- not the same, and an explanation, including the ownership of the various claims at the time the last claimed invention was made, is submitted.
5.  A verified statement to establish small entity status under 37 CFR 1.9 and 1.27  is enclosed  was filed in the prior application no. filed on and such status is still proper and desired (37 CFR 1.28(a)).
6.  The filing fee is calculated below:

**CLAIMS AS FILED IN THE PRIOR APPLICATION LESS ANY CLAIMS  
CANCELLED BY AMENDMENT BELOW**

CLAIMS AS FILED						
	CLAIMS REMAINING AFTER AMENDMENT OF 110	CLAIMS ADDED BY PRELIMINARY AMENDMENT OF 111	TOTAL CLAIMS FILED	NUMBER EXTRA*	RATE	BASIC FEE \$770
Total Claims	1	8	9	-20 = 0	x 22 = \$ 0	
Independent Claims	1	1	2	-3 = 0	x 80 = \$ 0	
<u>— FIRST PRESENTATION OF MULTIPLE DEP CLAIM</u>				+ 260 =		\$ 0
					TOTAL	\$ 770
Small Entity 50% Filing Fee Reduction (if applicable)						\$ 0

\* If the difference is less than zero, enter "0."

7.  A check in the amount of \$770 is enclosed.
8. AUTHORIZATION TO CHARGE ADDITIONAL FEES  
 The Commissioner is hereby authorized to charge the following ADDITIONAL fees which may be required by this paper and during the entire pendency of this application to Account No. 12-1420. The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 12-1420. A duplicate copy of this sheet is enclosed.  
 37 CFR 1.16 (filing fees)  
 37 CFR 1.16 (presentation of extra claims)  
 37 CFR 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)  
 37 CFR 1.17 (application processing fees)  
 37 CFR 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b)).
9. INSTRUCTIONS AS TO OVERPAYMENT  
 credit Account No. 12-1420  
 refund */ /*
10.  Cancel in this application original Claims 2-7 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).
11.  A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered originally claimed in the prior application.)

12.  RELATE BACK - 35 USC 120: Amend the specification by inserting before the first line the sentence:

(a)

--This is a  continuation  divisional of Application no. 08/563,188, filed November 27, 1995.--

[Note to form user: lines for item 12 are intentionally spaced to permit Examiner amendments.]

13. DRAWINGS

- Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by 37 CFR 1.138 and before payment of base issue fee.)  
 New formal drawings are enclosed.

14. PRIORITY

- Priority of application no. P06-293556 filed on November 28, 1994 in Japan is claimed under 35 USC 119.  
 The certified copy of the priority application has been filed in prior application no. 08/563,188 filed on March 11, 1996.

15. ASSIGNMENT

- The prior application is assigned of record to Sony Corporation, 7-35, Kitashinagawa 6-Chome, Shinagawa-ku, Tokyo, JAPAN; Assignment recorded in PTO on March 11, 1996, Reel 7902 Frame(s) 0343.  
 The prior application is assigned, and the assignment (copy attached) was submitted to PTO for recording on \_\_\_.  
 An assignment of the invention to is attached. A copy of Form PTO-1595 (Recordation Cover Sheet) is also attached.

16.  The power of attorney in the prior application is to the members of the firm of Limbach & Limbach, now known as LIMBACH & LIMBACH L.L.P., 2001 Ferry Building, San Francisco, California, 94111, including Charles P. Sammut, Reg. No. 28,901.  
a.  The power appears in the original papers in the prior application.  
b.  Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.  
c.  A new power has been executed and is attached.  
d.  Address all future communications to LIMBACH & LIMBACH L.L.P., Attn: Charles P. Sammut, 2001 Ferry Building, San Francisco, California, 94111.

17. STATEMENT UNDER 37 CFR 3.73(B) (certification of title in assignee, if applicable, see MPEP 324)

- A statement satisfying the requirements of 37 CFR 3.73(b)  
 is attached.  
 was filed in the prior application.  
 A copy of the statement previously filed in the prior application is attached.

18.  An Information Disclosure Statement is enclosed with Form PTO-1449 (modified).

19.  Enclosed is a Statement Requesting Deletion of Names of Persons Who are No Longer Inventors.

20. MAINTENANCE OF COPENDENCY OF PRIOR APPLICATION

- (This item must be completed and the necessary papers filed in the prior application if the period set in the prior application has run).  
 A petition, fee and response has been filed to extend the term in the pending prior application until \_\_\_.  
 A copy of the petition for extension of time in the prior application is attached.

21. CONDITIONAL PETITIONS FOR EXTENSION OF TIME IN PRIOR APPLICATION

- (Complete this item and file conditional petition in prior application if previous item (20) not applicable).  
 A conditional petition for extension of time is being filed in the pending prior application.  
 A copy of the conditional petition for extension of time in the prior application is attached.

22. ABANDONMENT OF PRIOR APPLICATION

Please abandon the prior application at a time while the prior application is pending or when the petition for extension of time or to revive in that application is granted and when this application is granted a filing date so as to make this application copending with said prior application.

23.  I hereby verify that the attached papers are a true copy of prior complete application no. 08/563,188 and no amendments referred to in the oath or declaration filed to complete the prior application introduced new matter therein.

The undersigned declares further that all statements made herein of his or her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

LIMBACH & LIMBACH L.L.P.

By:



Charles P. Sammut

Registration No. 28,901

Attorney(s) or Agent(s) of Record

September 3, 1997  
(Date)

(S95P757US00)